

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

SCOTT T.,	:	Case No. 3:19-cv-237
	:	
Plaintiff,	:	
	:	
vs.	:	Magistrate Judge Sharon L. Ovington
	:	(by full consent of the parties)
	:	
COMMISSIONER OF THE SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

This case is before the Court upon Plaintiff's Motion for Attorney Fees Under Equal Access to Justice Act, 28 U.S.C. § 2412(d) (Doc. No. 18). The Commissioner filed a response (Doc. No. 19) indicating that it does not oppose Plaintiff's request.

Plaintiff seeks an award of attorney fees under the EAJA in the amount of \$5,707.00. In the absence of opposition by the Commissioner, Plaintiff's Motion and supporting documents establish that he is entitled to an award of attorney fees under the EAJA in the total amount he seeks. The attorney fees awarded under the EAJA belong to Plaintiff and are subject to administrative "offset if [he] has outstanding federal debts." *Astrue v. Ratliff*, 560 U.S. 586, 594 (2010).

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion for Attorney Fees Under Equal Access to Justice Act, 28 U.S.C. § 2412(d) (Doc. No. 18) is **GRANTED**;

2. The Commissioner shall pay Plaintiff's attorney fees under the EAJA in the amount of \$5,707.00 and \$0.00 in costs;
3. The Commissioner shall verify, **within thirty days of this Decision and Entry**, whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel; and
4. The case remains terminated on the docket of this Court.

February 4, 2022

s/Sharon L. Ovington

Sharon L. Ovington

United States Magistrate Judge